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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and for the Estate of
Bernard L. Madoff,

Plaintiff,

v.

JONATHAN SOBIN,

Defendant.

Adv. Pro. No. 10-04540 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated SIPA liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Jonathan Sobin (“Sobin”), by and through his attorneys, Lori V. Vaughan, Trenam, Kemker, Scharf, Barkin, Frye, O’Neill & Mullis, P.A. (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 1, 2010, the Trustee filed and served the Complaint against Sobin (ECF 1).
2. Sobin answered the Complaint on August 17, 2015 (ECF 43).
3. Sobin filed a Statement of Bankruptcy on May 2, 2017 (ECF 53).
4. Sobin filed a Chapter 7 Voluntary Petition for Bankruptcy on June 30, 2017. *In re: Sobin, Jonathan*, Case 8:17-bk-05804-CPM, United States Bankruptcy Court for the Middle District of Florida, Tampa Division (“Chapter 7 Bankruptcy”).
5. The Trustee filed a Proof of Claim (“Claim”) in Sobin’s Chapter 7 Bankruptcy on September 15, 2017 for the amount of fictitious profits alleged to have been withdrawn from Sobin’s BLMIS Account.
6. The Final Report of the Chapter 7 Trustee was filed on May 22, 2018, which allowed the Trustee’s Claim in full and set a proposed payment amount (“Payment”).
7. Sobin made the Payment in full.
8. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendant in the above-captioned adversary proceeding and dismissal of the adversary proceeding with prejudice.

9. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

10. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic, or electronic copy of this Stipulation shall be deemed an original.

New York, New York
July 27, 2018

BAKER & HOSTETLER LLP

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**TRENAM, KEMKER, SCHARF, BARKIN,
FRYE, O'NEILL & MULLIS, P.A.**

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Attorneys for Defendant

SO ORDERED:

Dated: **July 27th, 2018**
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE